



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/535,096 | 03/24/2000 | J Andrew Goossen | MFCP.68673 | 2356 |

45809 7590 03/03/2005
SHOOK, HARDY & BACON L.L.P.
2555 GRAND BOULEVARD
KANSAS CITY, MO 64108-2613

EXAMINER

NGUYEN, CAO H

ART UNIT PAPER NUMBER

2173

DATE MAILED: 03/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/535,096

Applicant(s)

GOOSSEN ET AL.

Examiner

Cao (Kevin) Nguyen

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Claim Rejections - 35 USC § 102***

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-59 are rejected under 35 U.S.C. 102(e) as being anticipated by Celi, Jr. et al. (US Patent No. 09/535,096).

Regarding claim 1, Celi discloses in computer system having a graphical user interface implementing a windowing environment, a method for displaying two or more overlapping windows on a computer display [...displaying information from one application program while another application is displaying a GUI; see col. 1, lines 17-27], the method comprising displaying any non-overlapping portions of the windows on the display [...the first output non-overlapping with the second output; see col. 1, lines 1-27]; blending any overlapping portions of the windows [the blend entry port to display their information superimposed over the current display to avoid interfering with the user's current active window; see col. 4, lines 21-34]; and displaying the blended overlapping portions of the windows on the display [where the two output overlap on the display screen; see col. 4, lines 55-67].

Regarding claim 2, Celi discloses, wherein the windows are hardware sprites and the blending step includes compositing the window according to an order [...the second output would be blended with a region of the desktop or inactive window, without effecting the active status of the currently active window; see col. 3, lines 40-48].

Regarding claim 3, Celi discloses, wherein the order is a display order (see figure 1).

Regarding claim 4, Celi discloses wherein the display order is a z order (see figure 1).

Regarding claim 5, Celi discloses includes specifying an opaqueness value for each window sprite (see col. 4, lines 55-67).

Regarding claim 6, Celi discloses wherein the opaqueness value is specified in the form of an integer having values between approximately 0 and 255 (see figure 3).

Regarding claim 7, Celi discloses wherein a first of the windows has a first display order and a second of the windows has a second display order, and wherein the second display order is greater than the first display order (see col. 3, lines 49-67).

Regarding claim 8, Celi discloses wherein the blending step includes redirecting any overlapping portions of the first window to at least one underlay buffer; and compositing the one or more underlay buffers with the second window (see col. 5, lines 8-50).

As claims 9-11 are analyzed as previously discussed with respect to claims 4-8 above.

Art Unit: 2173

Regarding claim 12, Celi discloses wherein at least one of the windows is substantially rectangular in shape (see figure 1).

Regarding claim 13, Celi discloses wherein at least one of the windows is substantially non-rectangular in shape (see figures 1-2).

Regarding claims 14 and 15, Celi discloses having computer-executable instructions for performing the steps and the computer system having a memory, an operating system and a central processor, the computer system being operable to execute the steps recited (see figures 1-3).

Regarding claim 16, Celi discloses a method in a computer system for displaying two or more overlapping bitmaps on a computer display, the method comprising redirecting any overlapping portions of a first of the two or more bitmaps to one or more underlay buffers (see figure 1); and compositing a second of the two or more bitmaps with the overlapping portions of the first object bitmap (see col. 3, lines 1-48); and displaying the composited second bitmap and any non-overlapping portions of the first bitmap (see col. 5, lines 8-50).

Regarding claim 17, Celi discloses, wherein the first and second bitmaps include a display order and the second bitmap includes an opacity level (see col. 5, lines 7-34).

Regarding claim 18, Celi discloses, wherein the second bitmap has a higher display order than the first bitmap (see col. 6, lines 38-65).

Regarding claims 19-27, Celi discloses, wherein the display order is a z order; receiving a function call creating the second bitmap; and receiving a function call setting the opacity level of the second bitmap (see col. 5, lines 34-62 and figures 2-4).

Art Unit: 2173

Regarding claims 28, Celi discloses a layering engine in a computer system for displaying a layered object and one or more underlying objects on a computer display, the layering engine comprising: one or more underlay buffers containing data indicative of overlapping portions of the one or more underlying objects (see col. 7, lines 13-61); and a composition buffer for receiving the underlay buffer data and compositing the data according to a display order (see col. 8, lines 16-38).

As claims 29-32 are analyzed as previously discussed with respect to claims 19-28 above.

Regarding claims 33, Celi discloses a computer system having one or more applications generating objects to be displayed, the computer display system comprising: a processor for executing the applications; and a display device coupled with the processor for displaying the application objects (see col. 2, lines 56-67); wherein the display device displays the objects such that a first portion of any overlapping objects is blended and displayed as one or more sprites and a second portion of any overlapping objects is redirected to an underlay buffer and blended and displayed; and wherein the display device displays the objects such that any non-overlapping portions of the objects are displayed in a non-blended manner (see col. 5-6, lines 1-67).

Regarding claims 34, Celi discloses a computer computer-readable medium having stored thereon a data structure, the data structure comprising at least one field containing data indicative of a parameter designating an object as a layered object (see figures 1-4).

As claims 35-59 are analyzed as previously discussed with respect to claims 1-19 and 33-34 above.

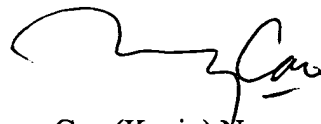
Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (571)272-4053. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571)272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cao (Kevin) Nguyen
Primary Examiner
Art Unit 2173

02/28/03